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## BIG BROTHER

Mr. LONG of Missouri. Mr. President, recently, a very excellent article on snooping appeared in Current Events, an American education publication for junior high school students.

As this article expresses in the clearest language the threat posed by modern snooping gadgets, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## SNOOPERS, SNOOPERS EVERYWHERE—AND NOT A SINGLE PLACE TO HIDE

"We are fast becoming a nation of snoopers. The techniques and gadgets that for so many years were associated with international cloak-and-dagger operators are widely used today, not only by police and Government investigators, but by respectable businessmen and untold numbers of private investigative agencies, some respectable, some not."

In these words Representative CONNELIUS E. GALLAGHER, Democrat, of New Jersey, recently summed up the problem of invasion of privacy in the United States. He was not exaggerating.

Hearings in Congress last year, some initiated by Congressman GALLAGHER, piled up page after page of testimony about widespread snooping.

Snooping—the invasion of individual privacy—comes in many forms. Some are so commonplace in life today that many Americans seem unaware that they are forfeiting personal rights guaranteed under the fourth and fifth amendments to the Constitution.

Wiretaps, mail covers, "bugs," concealed TV cameras, lie detectors, truth drugs, "personality" tests, computers, two-way mirrors, sniper-scopes, and ingenious lock picks are just a few of the tools used today in the national snooping craze.

## WHO ARE THE VICTIMS?

The effects of snooping touch the humblest neighborhoods. They also touch the White House, itself. In a speech in Texas a year ago reported by the United Press, Maj. Gen. Chester V. Clifton, military aide to President Johnson, said:

"Bugging is a big problem we have to handle. I have found many efforts to bug the White House."

The culprits in these efforts, the general implied, were foreign agents and American businessmen anxious to know ahead of others what the Presidential decisions would be.

Bugging is the use of radio receivers—some small enough to fit in a tie clasp—to record conversations of people who don't know they are being heard.

Some receivers are sensitive enough to pick up conversations in another room or on the next block.

Such "bugs" are among several devices developed from cold war spying between the United States and the Soviet Union and also from "miniaturization" techniques resulting from space research.

Few Americans deny the right of spy agencies such as the CIA to use these weapons to maintain national security. Our fate as a nation in the nuclear age may rest on whether we know in time what our enemies are up to. Some also favor using the new snoopers to fight organized crime—illegal gambling and racketeering—provided their use is approved beforehand by proper legal authority.

The problem is that spy tools are being adapted to other uses, many of which trample on individual rights in homes, businesses, hospitals, and even schools (bugs have been used to trap student smokers).

## WHO ARE THE SNOOPERS?

The Federal Government is king of the snoopers, even without counting its activities in the field of national security.

Congressional hearings in 1965 revealed that:

The U.S. Post Office had "mail covers" on 24,000 persons in 1963 and 1964. A mail cover is a check on information on the outside of a letter—addresses and place and date of postmarks.

Federal tax collectors used a variety of tools, including two-way mirrors, to spy on suspected income tax cheats. A two-way mirror on a door or wall reflects normally inside a room. An observer stationed outside, however, can see through the mirror as if it were clear glass.

The FBI used "bugs" to eavesdrop on criminal suspects in Las Vegas, Miami, and Kansas City. Today, four FBI agents and a phone company face a \$8 million lawsuit for invasion of privacy.

Many other Government agencies use so-called lie detectors, or polygraphs, to test employees and job applicants at a cost of millions to the taxpayer.

Widespread snooping of this kind raises these important questions:

1. When does an organization's right to know end and an individual's right to privacy begin?
2. How can our laws be updated to deal with new space-age methods of snooping?
3. How can you catch snoopers anyway if their tools are becoming so effective that no one knows they are using them?

One expert on the matter, Senator Edward V. Long, Democrat, of Missouri, suggests checking the problem at its source. He suggests laws regulating the manufacture, sale, and use of modern eavesdropping devices.

## A THREAT TO RIGHTS

After last year's hearings in Congress, President Johnson, himself, struck a blow for the right of individual privacy. He ordered all Government agencies to stop wiretapping and other phone-listening activities except under special circumstances.

The great danger in mass snooping is the steady loss of personal privacy and its effect on our democratic society.

As Vance Packard, author and expert on the snooping question, said in a university lecture last December:

"Privacy must be at the heart of any concept we have of freedom. Respect for privacy is at the arc of any test between a free and a totalitarian society. The earmark of the totalitarian society is the fear of being watched and heard."

The individual's right of privacy is implied in the fourth and fifth amendments to the Constitution (both parts of the Bill of Rights). The fourth amendment affirms the right of the people to feel safe against "unreasonable searches and seizures"—those made on whim without proper warrant or legal authority.

The fifth amendment, among other things, protects the individual from being a witness against himself in criminal proceedings.

As practiced today, snooping in the United States would seem to chip away at both these guarantees of personal freedom. Homes can be searched electronically today without homeowners being aware of it. A person can unknowingly be a witness against himself when his conversations are bugged without his knowledge.

The law, as yet, has done little to deal with this new form of invasion of privacy. Laws do exist against telephone wiretapping and wiretap evidence. But modern snooping tools make wiretapping seem crude and old fashioned.

## USE AGAINST CRIMINALS?

How far should law enforcement officers go in using snooping devices?

Some high officials, including former U.S.

Attorney General ROBERT F. KENNEDY, have said that wiretapping might be used in the investigation of certain serious crimes, such as murder and kidnapping. They claim that if policemen using such devices were required to have warrants, there should be little chance of abuse.

Judge Harold Medina, of the U.S. Appeals Court, however, warns that a firm check should be kept on such practices. In a foreword to "Liberty Under Law,"<sup>1</sup> he says:

"The average citizen says why not use wiretap evidence in court? They do catch crooks that way, don't they?"

"This citizen needs to know that wiretapping would not be used just against 'crooks.' When people tap wires they can find out a man's business secrets and his personal affairs. They can get information that could be used in politics in the worst sort of way."

Americans today submit to snooping that might have turned their forefathers red with rage. The colonists' opposition to invasion of privacy helped trigger the American Revolution and gain us nationhood.

In the 1760's officials of the Crown, armed with writs of assistance, broke into colonial homes on whim in search of smuggled goods. No such breach of home privacy was permitted in Britain itself at the time.

In fact, when the hated writs were being used in America, William Pitt the Elder, noted British statesman, was exulting in Parliament over Britain's right of privacy. He said:

"The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; it may shake; the wind may blow through it; the storms may enter; the rain may enter—but the King of England cannot enter. All his forces dare not cross the threshold of the ruined tenement."

Mr. Pitt, of course, had no idea of where science and modern technology would lead us. The electronic snooper can move in on home privacy today where once even the King of England feared to tread.

As yet we have few answers to this menace to precious rights, but at least the extent of the problem is becoming clearer.

## REVIEW AND DISCUSSION

## Main ideas to remember

1. Why is widespread snooping in business, government, schools, and elsewhere a danger to our democratic way of life?
2. In what way does modern-day snooping violate guarantees of privacy contained in the fourth amendment to the Constitution?

## Talk it over

1. This week's lesson discusses the more spectacular methods of snooping in use in the United States today. Can you think of others more commonplace, but also a threat to individual privacy?

2. Someone has said, "Respect for individual privacy begins at home." Do you believe this? Explain your answer.

<sup>1</sup>Liberty Under Law, American Education Publications.